

Exhibit 4

UNITED STATES DISTRICT COURT
EASTERN DISTRICT

COPY

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ROSS UNIVERSITY MEDICAL SCHOOL

Plaintiff,

Index No. 09CV01410

-against-

BROOKLYN-QUEENS HEALTH CARE AND
WYCKOFF HEIGHTS MEDICAL CENTER,

Defendants.

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374 Stockholm Street
Brooklyn, New York 11237

June 24, 2011
10:00 a.m.

EXAMINATION BEFORE TRIAL
of RAJIV GARG, a Defendant, by
George J. Tzanetopoulos, pursuant
to Article 31 of the Civil Practice
Law & Rules of Testimony, and
Notice, held at the above-mentioned
time and place, before Paul
Goldstein, a shorthand reporter and
Notary Public of the State of New
York.

1 Q. What positions have you held at
2 Wyckoff Heights Medical Center?

3 A. Originally, trustee. And then, the
4 CEO position.

5 Q. When did you first become a trustee
6 on the board of Wyckoff?

7 A. Probably, April 2008.

8 Q. And when did you become Chief
9 Executive Officer at Wyckoff?

10 A. November 2008.

11 Q. Have you been Chief Executive Officer
12 at Wyckoff continuously since November 2008?

13 A. Yes.

14 Q. And have you served on the Board of
15 Trustees of Wyckoff continuously since April
16 2008?

17 A. Yes.

18 Q. Have you ever held any position at
19 Brooklyn-Queens Health Care?

20 A. Yes. I think, for a short period, I
21 was one of the trustees.

22 Q. When were you a trustee for Brooklyn-
23 Queens Health Care?

24 A. Some time in May or June of 2008. I
25

1 the effort to acquire information in
2 discovery in this case.

3 Who was asked to gather information
4 to respond to the Plaintiff's discovery
5 requests?

6 A. I would presume David Hoffman.

7 Q. Other than stating Mr. Hoffman, do
8 you know anything else about information
9 collection in this case?

10 A. Not particularly, no.

11 Q. All right. Let's skip up to the very
12 top, Number 1, which is the decision by BQHC
13 and Wyckoff Heights Medical Center not to
14 provide replacement clerkships to Ross
15 University, after the hospitals closed.

16 Who made that decision?

17 A. I guess the answer is going to be two
18 or three-pronged.

19 First of all, BQHC does not enter
20 into the discussion regarding providing
21 clerkships.

22 Second answer is, Wyckoff Heights
23 Medical Center, and its decision not to
24 provide clerkships, was a function of two
25

1 pieces.

2 One is capacity to take in people --
3 and Wyckoff Heights Medical Center has no
4 obligation to provide those clerkships.

5 Q. My question was a little simpler.

6 Who made the decision?

7 A. The decision is finally made by me.

8 Q. Before you decided not to provide
9 replacement clerkships to Ross, after the
10 hospitals closed, did you review the contract
11 documents with Ross?

12 MR. LOUGHLIN: Objection. Now you're
13 treading on attorney-client privilege.

14 MR. TZANETOPOULOS: It doesn't at
15 all. I asked him if he reviewed the
16 contracts. I didn't ask him for what his
17 lawyers said to him or what he said to his
18 lawyers.

19 MR. LOUGHLIN: You can answer. I
20 assume, what you mean is the affiliation
21 agreement and...

22 MR. TZANETOPOULOS: Its amendments.

23 A. I might have looked at them, yes.

24 Q. Do you know one way or the other,
25

1 whether you did?

2 A. What?

3 Q. Do you have a recollection, one way
4 or the other, whether you looked at the cash
5 back documents, before making the decision?

6 A. I said, I looked at them. Yes.

7 Q. Did you consult with counsel, before
8 making the decision?

9 A. Yes.

10 Q. Which counsel?

11 A. David.

12 Q. Any others?

13 A. No.

14 Q. Other than Mr. Hoffman, did you
15 discuss the decision not to provide
16 replacement clerkships with anybody else,
17 before making that decision?

18 A. I had discussions with the client,
19 Ross University.

20 Q. Anybody else?

21 A. No.

22 Q. With whom did you talk at Ross?

23 A. Tom Shepherd, Nancy Perri and Bill
24 Hughson.
25